IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

OP.No. 7468 of 2000(L)

PETITIONER:

ISMAIL, S/O.ABDULLA, AGED 27 YEARS,
KUTHIRAYIL, KAYAKKODE AMSOM,
KOTTOOR DESOM, BADAGARA TALUK,
KOZHIKODE.

BY ADV. SRI.JACOB ABRAHAM

RESPONDENTS:
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1. **THE MOTOR ACCIDENTS CLAIMS TRIBUNAL**
   BADAGARA.

2. **T.K.JHONYKUTTY, S/O.T.J.KURIAN,**
   (AGE NOT KNOWN TO THE PETITIONER)
   THENGUMPALLIL HOUSE
   MUTTATH PLAVU, MARUTHONKARA (OWNER OF THE JEEP KLL 3399)
   KOZHIKODE DISTRICT.

3. **NELLOLI BABU, S/O. KANARAN, AGED 28 YEARS,**
   KAVILAMPARA P.O. AMSOM DESOM,
   CHAPPAMTHOTTAM, KOZHIKODE DISTRICT.
   DL NO.1797/88/DB B.NO.245/91 DRIVER OF THE JEEP KLL 3399.

4. **M/S. ORIENTAL INSURANCE CO.LTD.,**
   BADAGARA POLICY NO.441603/300/0/MV93/3510/RB
   INSURER OF THE JEEP KLL 3399.

BY ADV. SRI.P.V.JYOTHI PRASAD – R2 & R4
GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO.7468/2000

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE O.P. (MV) NO.3329/1995 DT. 18.11.99 OF THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, VADAKARA.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P.No. 7468 of 2000

Dated this the 6th day of June, 2007

JUDGMENT

Petitioner is aggrieved by Ext.P1 award passed by the Motor Accidents Claims Tribunal, Vadakara. According to the petitioner the amount awarded is grossly insufficient in view of the serious injuries suffered by him. On going through the records it is seen that the Tribunal has adverted to in detail the nature of the injury and the compensation, which the petitioner is entitled to get in such circumstances. An amount of Rs.5,075/- with 12% interest along with costs was awarded. I am of the view that it is just and reasonable in the facts and circumstances of the case. Therefore, there is no merit in the writ petition. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.7468/2000

JUDGMENT

6th June, 2007